

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and any documents indicated as being enclosed therein are being sent via facsimile to TC 2600 at 703-872-9314, on

Date: 10/29/01

Printed Name: Stephanie Klepp

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Group Art Unit: 2782
MARK A. BAKKE ET AL.) Examiner: R. Perveen
Serial No.: 09/966,263) Attorney Docket No. 98-017-TAX
Filed: September 28, 2001)
For: INTELLIGENT DATA STORAGE MANAGER

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Timothy R. Schulte, represent that I am the Attorney of Record in the present application.

Storage Technology Corporation is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-identified application by virtue of assignment recorded on January 15, 1999, at Reel 9721, Frame 0407.

Storage Technology Corporation hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Registration No. 6,330,621, and Assignee hereby agrees that any patent so granted on the above-identified patent shall be enforceable only for and during such period that the legal title to said patent shall

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be the same as the legal title to U.S. Patent Registration No. 6,330,621. This agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Registration No. 6,330,621 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is authorized to charge the amount of \$110.00 to cover the cost of the filing of the Terminal Disclaimer and to charge any additional fees, as well as credit any overpayments, to Deposit Account No. 19-4545. A duplicate of this request is enclosed for that purpose.

Respectfully submitted,

MARK A. BAKKE ET AL.

Date: June 29, 2004

By:


Timothy R. Schulte
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